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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,223	08/04/2003	Chris Tengwall	12838/3	6507

26646 7590 04/21/2005

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EXAMINER

SHERKAT, AREZOO

ART UNIT PAPER NUMBER

2131

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/634,223

**Applicant(s)**

TENGWALL ET AL.

**Examiner**

Arezoo Sherkat

**Art Unit**

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/6/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

47

### **DETAILED ACTION**

Claims 1-15 are presented for examination.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 10, and 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Omar et al., (U.S. Publication No. 2004/0166834 and Omar hereinafter).

Regarding claim 1, Omar discloses a system for transmitting data stored in at least one database and processed by a server arrangement to at least one handheld wireless device that receives data from a wireless carrier network including:

a relay arrangement for routing the data for transmission wherein the relay arrangement is arranged behind the firewall arrangement (Page 3, Par. 0033-0034);  
and

a firewall arrangement that provides security for the data, the server arrangement (Page 3, Par. 0032-0037 and Pages 13-14, Par. 0122).

Regarding claim 2, Omar discloses wherein the data includes at least one of email data and PIM data (Pages 14-15, Par. 0128-0129).

Regarding claim 3, Omar discloses wherein the at least one handheld wireless device receives encryption data wirelessly (Page 15, lines 0133-0138).

Regarding claim 4, Omar discloses wherein the database includes at least one of an e-mail server and a database server (Pages 14-15, Par. 0128-0133).

Regarding claim 10, Omar discloses a method for transmitting data, comprising the steps of:

storing data in a database, retrieving the data from the database via a server management, processing the data in the server arrangement, sending the data to a relay arrangement, processing the data in the relay arrangement and routing the data to at least one wireless carrier network (Page 7, Par. 0070-0072);

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Art Unit: 2131

sending the data through a firewall arrangement to the at least one wireless carrier network, the firewall arrangement providing security for the data, the server arrangement and the relay arrangement, receiving the data at the wireless carrier network, processing the data in the at least one wireless carrier network, sending the data to at least one handheld wireless device, receiving the data at the at least one handheld wireless device, processing the data in the handheld wireless device, wherein the relay arrangement being arranged behind the firewall arrangement (Page 13-14, Par. 0117-0127).

Regarding claim 14, Omar discloses an apparatus for transmitting data, comprising:

means for storing data, means for processing the data obtained from the means for storing data, means for routing the data for transmission, means for securing the data, the means for processing, and the means for routing, wireless carrier network means for receiving and transmitting at least the data from the means for routing (Page 7, Par. 0070-0072); and

at least one handheld wireless device that receives data from the wireless carrier network means, wherein the means for routing is arranged behind the means for securing (Page 13-14, Par. 0117-0127).

Regarding claim 15, Omar discloses a system for transmitting data stored in at least one database and processed by a server arrangement to at least one handheld wireless device that receives data from a wireless carrier network including:

a relay arrangement for routing the data for transmission, the relay arrangement being arranged within a controlled network (Page 3, Par. 0032-0034).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omar et al., (U.S. Publication No. 2004/0166834 and Omar hereinafter), in view of Elliot et al., (U.S. Publication 2004/0022237 and Elliot hereinafter).

Teachings of Omar with respect to limitation of claims 1 and 10 have been discussed previously.

Regarding claim 5, Omar does not expressly disclose a redundant server arrangement for the server arrangement.

However, Elliot discloses a redundant server arrangement for the server arrangement (i.e., Soft Switch sites)(Page 12, Par. 0456-0464).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the Omar's method of remote data access by including a redundant server arrangement for the server arrangement as disclosed by Elliot. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0565).

Regarding claim 6, Omar does not expressly disclose a redundant relay arrangement for the relay arrangement.

However, Elliot discloses a redundant relay arrangement for the relay arrangement (i.e., Gateway sites)(Page 12, Par. 0465-0470).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the Omar's method of remote data access by including a redundant relay arrangement for the relay arrangement as disclosed by Elliot. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0567).

Regarding claim 7, Omar does not expressly disclose a redundant server arrangement for the server arrangement.

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However, Elliot discloses wherein the redundant server arrangement is located in at least one of a same geographic location and a different geographic location than the server arrangement (Page 12, Par. 0456-0464).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the Omar's method of remote data access by including wherein the redundant server arrangement is located in at least one of a same geographic location and a different geographic location than the server arrangement as disclosed by Elliot. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0565).

Regarding claim 8, Omar does not expressly disclose a redundant relay arrangement for the relay arrangement.

However, Elliot discloses wherein the relay arrangement is located in at least one of a same geographic location and a different geographic location than the relay arrangement (Page 12, Par. 0465-0470).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the Omar's method of remote data access by including wherein the relay arrangement is located in at least one of a same geographic location and a different geographic location than the relay arrangement as disclosed by Elliot. This modification would have been obvious because one of ordinary

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Art Unit: 2131

skill in the art would have been motivated by the suggestion of Elliot to provide for high availability and redundancy (Elliot, Page 18, Par. 0567).

Regarding claims 9 and 13, Omar discloses wherein the data is encrypted (Page 13, Par. 0117-0118).

Regarding claim 11, Omar discloses wherein the data includes at least one of e-mail data and PIM data (Pages 14-15, Par. 0128-0129).

Regarding claim 12, Omar discloses the step of:

sending encryption data to the handheld wireless device via a wireless connection, thus updating operational capabilities of the handheld wireless device (i.e., Regardless of the particular key distribution scheme and encryption techniques used, encrypted communications between a mobile device 12 and network server 122 allows for secure access to corporate or other private information using a mobile device 12 )(Page 13, Par. 0119-0120).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chen et al., (U.S. Publication No. 20030054810),

Callas et al., (U.S. Publication No. 20040133520),

Meffert et al., (U.S. Publication No. 20020059144),  
Kung et al., (U.S. Patent No. 6,680,935),  
Fiatal et al., (U.S. Publication No. 20030157947),  
Gupte et al., (U.S. Publication No. 20010034225), and  
Chan (U.S. Publication No. 20020010758).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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April 12, 2005

